

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANAHUAC MANAGEMENT,

Plaintiff,

vs.

KEITH A. MAZER, *et al.*,

Defendants.

Case No. 2:09-cv-01590-RLH-PAL

ORDER

(Emg Mot Quash - Dkt. #44)


Before the court is Third-Party Defendant Jehu Hand's Emergency Motion to Quash Subpoenas, or in the Alternative, for Protective Order (Dkt. #44) filed June 1, 2011. The emergency motion seeks an order quashing subpoenas directed to Wells Fargo Bank and Bank of America to produce all bank account statements and related records and documents for all bank accounts held by Third-Party Defendant Jehu Hand and/or non-party Hand & Hand, P.C. Counsel for Third-Party Plaintiff Keith A. Mazer and Defendant World Capital Funding, LLC, whose counsel have office in Illinois, obtained subpoenas issued by the U.S. District Court for the Northern District of Illinois directed to Wells Fargo and Bank of America to produce documents sought in this case. Movants assert the Defendants had the subpoenas issued and served in the Northern District of Illinois solely for the convenience of their out-of-state counsel who work in Chicago, Illinois, that the District of Illinois has no jurisdiction over Defendants over the conduct of discovery of this case, and therefore, this court has authority pursuant to Fed.R.Civ.P. 45(c) to quash the subpoenas. In the alternative, Movants seek an order pursuant to Fed.R.Civ.P. 26(c) for a protective order forbidding discovery of confidential bank records. The motion was filed as an emergency motion because the subpoenas were served May 24, 2011, and seek production of the documents on June 9, 2011. The Bank of America has advised counsel for Movants that it received the subpoena and intends to comply by producing responsive documents on June 6, 2011.

1 Having reviewed and considered the matter, the court will enter a temporary protective order
2 precluding Defendant/Counterclaimant/Third-Party Plaintiff Keith Mazer and Defendant World Capital
3 Funding, LLC, from obtaining and/or using documents subpoenaed from Wells Fargo and Bank of
4 America pending a decision on the merits.

5 **IT IS ORDERED** that:

- 6 1. Defendant/Counterclaimant/Third-Party Plaintiff Keith Mazer, and Defendant World
7 Capital Funding, LLC, shall have until **June 15, 2011**, in which to file a response to the
8 motion.
- 9 2. Third-Party Defendant Hand shall have until **June 22, 2011**, in which to file a reply.
- 10 3. A hearing on the motion is set for **June 29, 2011, at 11:00 a.m.**
- 11 4. A temporary protective order is entered precluding Defendant/Counterclaimant/Third-
12 Party Plaintiff Keith Mazer, and Defendant World Capital Funding, LLC, from obtaining
13 and/or using documents subpoenaed from Wells Fargo and Bank of America pending a
14 decision on the merits.

15 Dated this 6th day of June, 2011.

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18 Peggy A. Teen
United States Magistrate Judge
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